

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

United States of America,)
)
 vs.)
)
 Dylann Storm Roof,)
)
 _____)

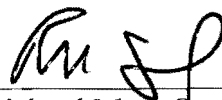
Criminal No. 2:15-472-RMG

**ORDER
UNDER SEAL**

RECEIVED CLERK'S OFFICE
2016 SEP 12 P 1:08
DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON, SC

Pursuant to the Court's scheduling order (Dkt. No. 180), the Parties submitted proposed case-specific jury questionnaires on August 15, 2016. After reviewing the proposed questionnaires, the Court has prepared a draft of the case-specific questionnaire it intends to administer to potential jurors during the week of September 26, 2016. Counsel for the Parties are directed to review the attached draft and submit any objections in writing under seal no later than September 15, 2016.

AND IT IS SO ORDERED.



Richard Mark Gergel
United States District Judge

September 12, 2016
Charleston, South Carolina

Case Specific – RMG Edits

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

UNITED STATES OF AMERICA

v.

DYLANN STORM ROOF

)
)
)
)
)

Criminal No.: 2:15-472-RMG

INSTRUCTIONS

1. Fill out the information requested below and then answer each question.
2. If you do not understand a question, write “do not understand.”
3. If you do not know the answer, write “don’t know.”
4. Do not discuss the questions or your answers with anyone else, including other jurors.
5. The staff are not permitted to answer your questions about the questionnaire.
6. The phrase “immediate family” means your parents, spouse, and children. The phrase “member of household” means any person not a member of your immediate family who resides in your home.
7. If you need additional space to answer a question, continue your response on the lined pages at the back of the questionnaire. Please indicate on the questionnaire that your response is continued at the back of the questionnaire and label your continued response with the question number you are answering.

Thank you for your cooperation.

September____, 2016

Richard M. Gergel
UNITED STATES DISTRICT COURT JUDGE

Your Full Name

NOTE: My staff needs a record of your telephone number in case it is necessary to contact you personally.

Juror #

To protect your privacy this page will be separated from the rest of the questionnaire. Your telephone number will not be made available to anyone other than my court staff.

Home telephone number

Work or message telephone number

Case Specific – RMG Edits

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

UNITED STATES OF AMERICA)	
)	Criminal No.: 2:15-472-RMG
v.)	
)	
DYLANN STORM ROOF)	

CONFIDENTIAL JUROR QUESTIONNAIRE

You have been called as a prospective juror in the case of United States of America v. Dylann Storm Roof. This questionnaire will be used to assist the Court and the lawyers in jury selection for this case. It is designed to obtain information about your background, experience, and views as they relate to your possible jury service. The questions are not meant to invade your privacy, but to help select the best possible jury for this case. This questionnaire is designed to save everyone time by reducing the number of questions that potential jurors will be asked in open court.

Your answers to these questions will only be used by the parties, the judge, and their assistants. Your answers will be kept confidential and, indeed, you may not discuss this questionnaire or the case with anyone, including your family or fellow prospective jurors. If you need assistance in completing the questionnaire, please ask the court staff. It may be necessary to follow up on some responses with additional questions. Please mark any of your responses with a (*) if you prefer that any follow-up questions be asked privately.

Please answer each question as completely and accurately as you can. Understand that there are no “right” or “wrong” answers to these questions, so long as your answers are truthful. If you are not sure whether a question applies to you, please answer it.

Because this questionnaire is part of the jury selection process, you must swear that the answers you give are true to the best of your knowledge, and you must fill out the questionnaire by yourself.

Case Specific – RMG Edits

A few important precautions:

- If anyone attempts to talk to you about this case, please immediately notify the judge or a member of the courtroom staff.
- Please do not discuss this case with anyone. That includes friends, family members, and other potential jurors.
- Please do not read, watch, or listen to any media accounts or conversations about this case. This includes going on the internet to look up any news stories or websites that may pertain to this case. Please do not go to any of the locations that you believe may be involved in this case, if at all possible.
- If you are exposed accidentally to information or discussion about this case, please inform the judge when you appear for individual questioning.
- Do not be concerned that your answers might affect whether you are selected for jury service. Simply answer the questions truthfully and completely.

Case Specific – RMG Edits

Name: _____

Juror Number: _____

1. Gender: Male _____
Female _____

2. Race: _____

3. Date of Birth: _____

4. Current Place of Employment: _____

5. A. Do you or any member of your immediate family or household know any of the following individuals?

Judge: The Honorable Richard M. Gergel

Prosecutors: Jay Richardson, Nathan Williams, Stephen Curran, Richard Burns & Mary Hahn

Defense Attorneys: David Bruck, Kim Stevens, Sarah Gannett & Emily Paavola

_____ Yes _____ No

If you answered “Yes,” identify each person known and explain who knows them and how.

- B. The persons listed on the attached “Potential Witness List” may be offering testimony in the trial. Do you personally know of any of these persons on the list?

_____ Yes _____ No

If you answered “Yes,” identify each potential witness you know and describe your relationship with that individual.

Case Specific – RMG Edits

6. Do you personally know any prosecutor employed by the United States Attorney's Office in the District of South Carolina or in the Ninth Circuit Solicitor's Office (Charleston and Berkeley Counties)?

_____ Yes _____ No

If you answered "Yes," identify any prosecutor you personally know and describe how you know the person.

7. Have you or any member of your immediate family or household been employed by, applied for a job with, or served as a volunteer for any of the following:

- A. Any criminal prosecutor's office? _____ Yes _____ No
- B. Any law enforcement agency? _____ Yes _____ No
- C. Any law firm? _____ Yes _____ No
- D. Any correctional agency or jail? _____ Yes _____ No

If you answered "Yes" to any of the questions above, provide details concerning the agency or firm involved, the years of association, and job held or role played.

8. Do you have any opinions concerning the following which would affect your ability to be a fair and impartial juror?

- A. Criminal prosecutors _____ Yes _____ No
- B. Criminal defense attorneys _____ Yes _____ No

Case Specific – RMG Edits

If you answered “Yes” to any of the questions above, please describe your opinions and explain why they would interfere with your ability to be a fair and impartial juror.

9. Have you or any member of your immediate family or household in the last 10 years held a leadership position with any social, political, civic, religious or other organization?

_____ Yes _____ No

If you answered “Yes,” identify the leadership position(s), the organization(s) in which they were held, and who held them. _____

10. Have you in the last 5 years done any of the following?

- A. Attended a meeting advocating crime victims’ rights or reform of the criminal laws?

_____ Yes _____ No

- B. Attended a protest or demonstration of any type?

_____ Yes _____ No

- C. Placed a bumper sticker on your vehicle or placed a yard sign in your yard?

_____ Yes _____ No

- D. Flown any flag at your home other than the American flag?

_____ Yes _____ No

If you answered “Yes” to any of the questions above, please provide details regarding your activities.

Case Specific – RMG Edits

11. Have you or a member of your immediate family or household ever been a victim of a violent crime?

_____ Yes _____ No

If you answered “Yes,” please provide details regarding the crime involved, the year the crime was committed, and any injuries suffered as a result.

12. Have you or any member of your immediate family or household been a victim of discrimination on the basis of race, gender, religion, national origin, ethnicity, or sexual orientation?

_____ Yes _____ No

If you answered “Yes,” please provide details regarding the discrimination experienced.

13. Do you have an opinion on the issue of gun control?

_____ Yes _____ No

If you answered “Yes,” please explain your opinion on gun control.

14. Have you served on a grand jury in the last 10 years?

_____ Yes _____ No

Case Specific – RMG Edits

15. A. The parties in a criminal case are allowed to offer expert testimony which jurors must consider and weigh in reaching a verdict in the case. Would your obligation to consider and weigh expert testimony affect your ability to be a fair and impartial juror?

_____ Yes _____ No

If you answered “Yes,” please explain your answer.

- B. Would the fact that a mental health professional (psychiatrist, psychologist, clinical social worker, or therapist) offered expert testimony for the Government or the Defendant affect your ability to be a fair and impartial juror?

_____ Yes _____ No

If you answered “Yes,” please explain your answer.

16. How would you describe the amount of media coverage you have seen about this case or the defendant, Dylann Roof:

_____ A great deal (followed it very closely)
 _____ Quite a bit (read many articles or watched television accounts)
 _____ Moderate amount (just basic coverage in the news)
 _____ Little (basically just heard about it)
 _____ None (have not heard of case before today)

17. Has your information about this case or the defendant, Dylann Roof, come from (check all that apply):

_____ Newspaper(s) (including newspaper websites)
 _____ Print periodicals/magazines (including magazine websites)
 _____ Television or Radio

Case Specific – RMG Edits

- ☐ Social media, including Facebook, Twitter, etc.
- ☐ Websites other than online newspapers or magazines
- ☐ Hearing people talk about it
- ☐ Personal knowledge
- ☐ Other

If you checked *personal knowledge* or *other*, please explain.

18. What have you seen, heard or read about this case or Dylann Roof?

19. Have you spoken to others or written about this case or the defendant, Dylann Roof?

☐ Yes ☐ No

If you answered “Yes,” please describe the substance of those conversations and the substance and location of the writings.

Case Specific – RMG Edits

20. Have you done any online research on this case since you received your jury summons?

_____ Yes _____ No

If you answered “Yes,” please describe the research you have conducted.

21. Can you set aside what you have previously seen, read or heard about this case and decide this case based solely on the evidence presented in court and the judge’s instructions on the law? _____ Yes _____ No

If you answered “No,” please explain. _____

22. Would information that you received from any source prevent you from being a fair and impartial juror in this case? _____ Yes _____ No

If you answered “Yes,” please explain. _____

23. Have you ever been a news reporter, published or unpublished author, or blogger?

_____ Yes _____ No

If you answered “Yes,” please explain. _____

Case Specific – RMG Edits

-
24. The defendant, Dylann Roof, has been charged with killing or attempting to kill the following individuals:

Reverend Sharonda Coleman-Singleton
Cynthia Hurd
Susie Jackson
Ethel Lee Lance
Reverend DePayne Middleton-Doctor
Reverend Clementa Pinckney
Tywanza Sanders
Reverend Daniel Simmons, Sr.
Myra Thompson
A minor child with the initials K.M.
Felicia Sanders
Polly Sheppard

Do you or any member of your immediate family or household know any of these individuals?

_____ Yes _____ No

If you answered “Yes,” please identify the individual(s) and describe their relationship with you or the member(s) of your immediate family or household.

25. Do you or any member of your immediate family or household know the defendant, Dylann Roof, or any member of his family?

_____ Yes _____ No

Case Specific – RMG Edits

If you answered “Yes,” please identify the individuals you or a member of your immediate family or household know and describe the relationship(s)

26. Were you or any member of your immediate family or household personally affected by the events which occurred at Emanuel AME Church on Calhoun Street in Charleston, South Carolina, on June 17, 2015?

_____ Yes _____ No

If you answered “Yes,” please describe how you or a member of your immediate family or household were affected.

27. Have you or a member of your immediate family or household:

A. Attended services at Emanuel AME Church?

_____ Yes _____ No

B. Been a member Emanuel AME Church?

_____ Yes _____ No

If you answered “Yes” to either of these questions, please describe your relationship with Emanuel AME Church.

Case Specific – RMG Edits

When the death penalty is a possible punishment in a case, the trial usually involves two stages. During the first stage, the jury will determine whether the defendant is guilty or not guilty of the crimes with which he is charged. If the defendant is found guilty of a crime for which the death penalty is one of the possible punishments, the trial will continue to a second stage in which the same jury decides the appropriate sentence.

At this second stage, the jury will be instructed to consider certain aggravating factors (facts or circumstances that would tend to support the imposition of the death penalty). The jury will also be instructed to consider mitigating factors (any fact or circumstance that would tend to support the imposition of a sentence such as life in prison without the possibility of release). A mitigating factor is not a defense (such as self-defense, insanity, or accident). Rather, it is a circumstance of the crime, or an aspect of a defendant's background, character or history, that may suggest that he should not receive the death penalty even if he is guilty of intentional murder.

In accord with the Court's legal instructions, after considering and weighing the aggravating and mitigating factors at the sentencing hearing, the jury will be asked to make a sentencing decision on the basis of the evidence presented and the court's instructions on the law applicable to this case.

In any case in which the charge carries a possible penalty of death, the law requires that jurors answer questions regarding their views, beliefs and opinions about the death penalty. This is true even though the defendant might be found not guilty of the charges in the indictment, and thus, the trial might not reach the question of what the appropriate sentence should be.

Case Specific – RMG Edits

28. Please describe your views, if any, about the death penalty as a punishment for murder.

29. Please describe your views, if any, about life without the possibility of parole as a punishment for murder.

30. Please circle one number that indicates your opinion about the death penalty. A “1” reflects a belief that the death penalty should never be imposed; a “7” reflects a belief that the death penalty should be imposed whenever the defendant has been convicted of intentional murder.

Strongly Oppose

Strongly Favor

1 2 3 4 5 6 7

Case Specific – RMG Edits

31. Regarding the death penalty in a murder case, which of the following statements most accurately represents the way you feel? (You may circle one or more than one of the choices):
- a. I am opposed to the death penalty, and I will never vote to impose it, no matter what the facts or legal instruction.
 - b. I am opposed to the death penalty, and my views would make it very hard for me to vote to impose it.
 - c. I am opposed to the death penalty, but I could vote to impose it if I believed that the facts and the law in a particular case called for it.
 - d. I have no definite opinions for or against the death penalty, and I could vote for either imposing the death penalty or a sentence of life imprisonment without the possibility of release depending upon the facts and the law in the case.
 - e. I am in favor of the death penalty, but I could vote for or against the death penalty depending upon the facts and the law in the case.
 - f. I am in favor of the death penalty, and my views would make it very hard for me to vote for any other sentence.
 - g. I am in favor of the death penalty, and I would always vote to impose it, no matter what the facts or legal instruction.
 - h. None of the statements above correctly describes my opinion about the death penalty.
32. A. Do you presently have an opinion whether the defendant, Dylann Roof, should or should not receive the death penalty?

_____ Yes _____ No

If you answered “Yes,” please state your present opinion.

Case Specific – RMG Edits

B. If you answered “Yes” to Question No. 32(A), are you able to set aside your present opinions and decide the case solely on the evidence presented in the court and the judge’s instructions on the law?

_____ Yes _____ No

33. Do you believe that anyone close to you would be critical of you or disappointed in you if you voted for or against the death penalty in this case?

_____ Yes _____ No

If you answered “Yes,” state whether that anticipated criticism or disappointment would affect your ability to be a fair and impartial juror and explain your answer.

34. If you are selected as a juror in this case, the judge will instruct you to avoid all media coverage, including social media, and not to go on the internet with regard to this case for any purpose. That is, you will be forbidden from reading newspaper articles about this case, “googling” this case, blogging/tweeting about it or posting comments on any social media sites, etc. Do you have any reservations or concerns about your ability or willingness to follow this instruction?

_____ Yes _____ No

If yes, please explain. _____

35. Do you participate in social media (e.g., Facebook, Twitter, LinkedIn, Instagram, etc.)? _____ Yes _____ No

Case Specific – RMG Edits

If yes, which social media, and how often? _____

36. Do you have any personal experience, knowledge, or training concerning

A. Mental illness, mental disabilities, or mental disorders?

_____ Yes _____ No

B. Down Syndrome, Autism Spectrum Disorder, Asperger Syndrome, Fetal Alcohol Syndrome, or Attention Deficit Disorder?

_____ Yes _____ No

If you answered “Yes” to any question above, please explain in detail your personal experience, knowledge, or training in these areas.

37. Have you had any experience or interaction with individuals, groups, websites, publications, meetings or protests that would be considered to be related to white supremacists or “white nationalists”? _____ Yes _____ No

If you answered “Yes,” please explain.

38. Do you attend religious services or have you done so in the past?

_____ Yes _____ No

If you answered “Yes,” state where you presently attend or where you last attended. _____

Case Specific – RMG Edits

39. Would your religious faith or moral beliefs interfere with your ability to be a fair and impartial juror in deciding guilt and the appropriate sentence?

_____ Yes _____ No

If you answered "Yes," please explain. _____

40. Do you have such strong feelings or opinions about whether the federal government should be involved in the prosecution of hate crimes or other cases of this nature that it could interfere with your ability to be a fair and impartial juror?

_____ Yes _____ No

If you answered "Yes," please explain. _____

41. As a result of any experience you or anyone close to you has had with the criminal justice system, do you have any feelings or opinions that might affect your ability to be a fair and impartial juror in this case? _____ Yes _____ No

If you answered "Yes," please explain. _____

42. Did you have any problems reading or understanding this questionnaire?

_____ Yes _____ No

If you answered "Yes," please explain. _____

Case Specific – RMG Edits

43. Is there any circumstance or other matter not previously covered that might affect your ability to fairly decide whether the defendant, Dylann Roof, is guilty or not guilty of the crimes charged; or, if he is guilty, what is the appropriate sentence?

_____ Yes _____ No

If you answered "Yes," please explain. _____

44. Is there any additional information not asked about in this questionnaire which you feel that the judge or the attorneys should know about you before considering you for jury service in this case?

_____ Yes _____ No

If you answered "Yes," please explain. _____

Case Specific – RMG Edits

Thank you again for your cooperation. Please read the following and sign below.

The answers provided above are truthful and complete to the best of my ability. I understand that knowingly giving a false answer may subject me to the penalties for perjury.

(Your Signature)

Date

PLEASE USE THE FOLLOWING PAGES TO CONTINUE ANY OF YOUR ANSWERS TO THE ABOVE QUESTIONS. BE SURE TO INDICATE THE NUMBER OF THE QUESTION YOU ARE ANSWERING.

Case Specific – RMG Edits

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Case Specific – RMG Edits